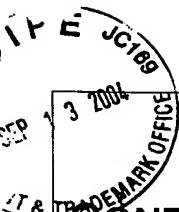


09-13-05

JFW

RCE

Tenz



# REQUEST

FOR

## CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction Sheet for RCE's (not to be submitted to the USPTO) on page 2.

### 1. Submission required under 37 C.F.R. § 1.114

a.  Previously submitted Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply

ii.  Affidavit(s)/Declaration(s)

iii.  Information Disclosure Statement (IDS)

iv.  Other \_\_\_\_\_ Petition for Extension of Time \_\_\_\_\_

### 2. Miscellaneous

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b.  Other \_\_\_\_\_

### 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_

i.  RCE fee required under 37 C.F.R. § 1.17(e)

ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii.  Other \_\_\_\_\_

b.  Check in the amount of \$440.00 enclosed (\$385.00 RCE Fee & \$55.00 Extension of Time Fee)

c.  Payment by credit card (Form PTO-2038 enclosed)

d.  If necessary, the Director is hereby authorized to charge any deficiencies, or credit any overpayments, to Deposit Account No. 50-0220

Myers Bigel Sibley & Sajovec, P.A., P. O. Box 37428, Raleigh, North Carolina 27627,  
Telephone: (919) 854-1400, Facsimile: (919) 854-1401, Customer No. 20792

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

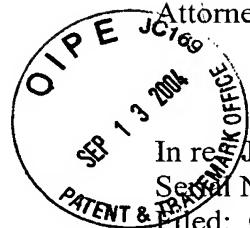
Name (Print/Type)	Laura M. Kelley	Registration No. (Attorney/Agent)	48,441
Signature		Date	September 9, 2004

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on September 9, 2004:

Name (Print/Type)	Carey Gregory		
Signature		Date	September 9, 2004

200772



Attorney Docket No. 9052-93

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: **John Stewart Jakes**

Serial No.: 10/001,320

Filed: **October 19, 2001**

For: **TRANSPORTABLE STAIRLIFTS**

Examiner: **Janice Lee Krizek**

Group Art Unit: **3652**

Confirmation No: **3394**

Date: September 9, 2004

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL

Dear Sir:

Applicants provide the present response to address the issues raised in the Final Office Action of May 18, 2004 (the "Action") and pursuant to the rules stated in revised 37 C.F.R. 1.121 that became effective on July 30, 2003.